

John J. Macron, Esq.  
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Staten Island, NY 10310  
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UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF NEW YORK

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In Re:

DAVID RUSI,

Debtor,

Chapter 7

Case No. 23-40150-jmm

DAVID J. DOYAGA, SR., Solely as  
Chapter 7 Trustee of the Estate of  
DAVID RUSI

Adv. Pro. No.:  
1-23-01087-jmm

Plaintiff,

v.

SELIM RUSI and ILIRJAN RUSI, in his  
Capacity as Trustee of the  
David Rusi 2011 Irrevocable Trust,

Defendant.

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Defendants, SELIM RUSI and ILIRJAN RUSI, in his capacity as Trustee of the David Rusi 2011  
Irrevocable Trust by and through their attorney, John J. Macron as and for their Answer to the  
Complaint in this action respectfully allege upon information as follows:

1. The Defendants deny knowledge or information sufficient to form a belief as to the allegations of Paragraph “1” of the complaint.
2. The Defendants deny the allegations of paragraph “2” of the complaint.
3. The Defendants deny the allegations of paragraph “3” of the complaint.
4. The Defendants deny the allegations of paragraph “4” of the complaint.
5. The Defendants deny knowledge or information sufficient to form a belief as to the allegations contained in paragraph “5” of the complaint.

6. The Defendants deny the allegations of paragraph “6” of the complaint.
7. The Defendants deny knowledge or information sufficient to form a belief as to the allegations contained in paragraph “7” of the complaint.
8. The Defendants deny knowledge or information sufficient to form a belief as to the allegations contained in paragraph “8” of the complaint.
9. The Defendants deny the allegations contained in paragraph “9” of the complaint.
10. The Defendants deny the allegations contained in paragraph “10” of the complaint.
11. The Defendants deny knowledge or information sufficient to form a belief as to the allegations contained in paragraph “11” of the complaint.
12. The Defendants deny knowledge or information sufficient to form a belief as to the allegations contained in paragraph “12” of the complaint.
13. The Defendant admit that Selim Rusi resides at 177 Benedict Road, Staten Island, New York 10304 and except as admitted Defendant denies knowledge or information sufficient to form a belief as to the allegations contained in paragraph “13” of the complaint.
14. The Defendant admit that Ilirjan Rusi resides at 72 Cromwell Cicle, Staten Island, New York 10304 and except as admitted Defendant denies knowledge or information sufficient to form a belief as to the allegations contained in paragraph “13” of the complaint.
15. The Defendants admit the allegations contained in paragraph “15” of the complaint.
16. The Defendants admit the allegations contained in paragraph “16” of the complaint.
17. The Defendants admit the allegations contained in paragraph “17” of the complaint.
18. The Defendants refer to the Document referenced by Plaintiff for its contents and do not choose to characterize the allegations of paragraph “18” of the complaint.
19. The Defendant admit the allegations contained in paragraph “19” of the complaint.

20. The Defendants deny knowledge or information sufficient to form a belief as to the allegations contained in paragraph “20” of the complaint.
21. The Defendants refer to the Document referenced by Plaintiff for its contents and do not choose to accept any characterization by the allegations of paragraph “21” of the complaint.
22. The Defendants refer to the Document referenced by Plaintiff for its contents and do not choose to accept any characterization by the allegations of paragraph “22” of the complaint.
23. The Defendants refer to the Document referenced by Plaintiff for its contents and do not choose to accept any characterization by the allegations of paragraph “23” of the complaint.
24. The Defendants refer to the Document referenced by Plaintiff for its contents and do not choose to accept any characterization by the allegations of paragraph “24” of the complaint.
25. The Defendants refer to the Document referenced by Plaintiff for its contents and do not choose to accept any characterization by the allegations of paragraph “25” of the complaint.
26. The Defendant denies knowledge or information sufficient to form a belief as to the allegations contained in paragraph “26” of the complaint.
27. The Defendants refer to the Document referenced by Plaintiff for its contents and do not choose to accept any characterization by the allegations of paragraph “27” of the complaint.
28. The Defendants admit the allegations contained in paragraph “28” of the complaint.
29. The Defendants refer to the Document referenced by Plaintiff for its contents and do not choose to accept any characterization by the allegations of paragraph “29” of the complaint.
30. The Defendants refer to the Document referenced by Plaintiff for its contents and do not choose to accept any characterization by the allegations of paragraph “30” of the complaint.
31. The Defendant denies knowledge or information sufficient to form a belief as to the allegations contained in paragraph “31” of the complaint.

32. The Defendants refer to the Document referenced by Plaintiff for its contents and do not choose to accept any characterization by the allegations of paragraph “32” of the complaint.
33. The Defendants refer to the Document referenced by Plaintiff for its contents and do not choose to accept any characterization by the allegations of paragraph “33” of the complaint.
34. The Defendants refer to the Document referenced by Plaintiff for its contents and do not choose to accept any characterization by the allegations of paragraph “34” of the complaint.
35. The Defendants refer to the Document referenced by Plaintiff for its contents and do not choose to accept any characterization by the allegations of paragraph “35” of the complaint.
36. The Defendants refer to the Document referenced by Plaintiff for its contents and do not choose to accept any characterization by the allegations of paragraph “36” of the complaint.
37. The Defendants refer to the Document referenced by Plaintiff for its contents and do not choose to accept any characterization by the allegations of paragraph “37” of the complaint.
38. The Defendants refer to the Document referenced by Plaintiff for its contents and do not choose to accept any characterization by the allegations of paragraph “38” of the complaint.
39. The Defendants refer to the Document referenced by Plaintiff for its contents and do not choose to accept any characterization by the allegations of paragraph “39” of the complaint.
40. The Defendants refer to the Document referenced by Plaintiff for its contents and do not choose to accept any characterization by the allegations of paragraph “40” of the complaint.
41. The Defendants admit that such an account was established and except as admitted Defendants deny knowledge or information sufficient to form a belief as to the allegations contained in paragraph “41” of the complaint.

42. The Defendants admit that such an account was established and except as admitted Defendants deny knowledge or information sufficient to form a belief as to the allegations contained in paragraph “42” of the complaint.

43. The Defendants refer to the Document referenced by Plaintiff for its contents and do not choose to accept any characterization by the allegations of paragraph “43” of the complaint.

44. The Defendants refer to the Document referenced by Plaintiff for its contents and do not choose to accept any characterization by the allegations of paragraph “43” of the complaint.

45. The Defendants deny the allegations contained in paragraph “45” of the complaint.

46. The Defendants deny the allegations contained in paragraph “46” of the complaint.

47. The Defendants deny the allegations contained in paragraph “47” of the complaint.

48. The Defendants deny the allegations contained in paragraph “48” of the complaint.

49. The Defendants refer to the Document referenced by Plaintiff for its contents and do not choose to accept any characterization by the allegations of paragraph “49” of the complaint.

50. The Defendants deny the allegations contained in paragraph “50” of the complaint.

51. The Defendants deny knowledge or information sufficient to form a belief as to the allegations contained in paragraph “51” of the complaint.

52. The Defendants refer to the Document referenced by Plaintiff for its contents and do not choose to accept any characterization by the allegations of paragraph “52” of the complaint.

53. The Defendants deny the allegations contained in paragraph “53” of the complaint.

54. The Defendants refer to the Document referenced by Plaintiff for its contents and do not choose to accept any characterization by the allegations of paragraph “54” of the complaint.

55. The Defendants refer to the Document referenced by Plaintiff for its contents and do not choose to accept any characterization by the allegations of paragraph “55” of the complaint.

56. The Defendants deny the allegations contained in paragraph “56” of the complaint.
57. The Defendants refer to the Document referenced by Plaintiff for its contents and do not choose to accept any characterization by the allegations of paragraph “57” of the complaint.
58. The Defendants refer to the Document referenced by Plaintiff for its contents and do not choose to accept any characterization by the allegations of paragraph “58” of the complaint.
59. The Defendants deny the allegations contained in paragraph “59” of the complaint.
60. The Defendants deny the allegations contained in paragraph “60” of the complaint.
61. The Defendants deny the allegations contained in paragraph “61” of the complaint.
62. The Defendants deny the allegations contained in paragraph “62” of the complaint.
63. The Defendants refer to the Document referenced by Plaintiff for its contents and do not choose to accept any characterization by the allegations of paragraph “63” of the complaint.
64. The Defendants admit that Defendant Selim is Defendant’s father.
65. The Defendants deny the allegations contained in paragraph “65” of the complaint.
66. The Defendants refer to the Document referenced by Plaintiff for its contents and do not choose to accept any characterization by the allegations of paragraph “66” of the complaint.
67. The Defendants refer to the Document referenced by Plaintiff for its contents and do not choose to accept any characterization by the allegations of paragraph “67” of the complaint.
68. The Defendants deny the allegations contained in paragraph “68” of the complaint.
69. The Defendants refer to the Document referenced by Plaintiff for its contents and do not choose to accept any characterization by the allegations of paragraph “69” of the complaint.
70. The Defendants refer to the Document referenced by Plaintiff for its contents and do not choose to accept any characterization by the allegations of paragraph “70” of the complaint.

71. The Defendants refer to the Document referenced by Plaintiff for its contents and do not choose to accept any characterization by the allegations of paragraph “71” of the complaint.

72. The Defendants refer to the Document referenced by Plaintiff for its contents and do not choose to accept any characterization by the allegations of paragraph “72” of the complaint.

73. The Defendants refer to the Document referenced by Plaintiff for its contents and do not choose to accept any characterization by the allegations of paragraph “73” of the complaint.

74. The Defendants deny the allegations contained in paragraph “74” of the complaint.

75. The Defendants refer to the Document referenced by Plaintiff for its contents and do not choose to accept any characterization by the allegations of paragraph “75” of the complaint.

76. The Defendants refer to the Document referenced by Plaintiff for its contents and do not choose to accept any characterization by the allegations of paragraph “76” of the complaint.

77. The Defendants refer to the Document referenced by Plaintiff for its contents and do not choose to accept any characterization by the allegations of paragraph “77” of the complaint.

78. The Defendants refer to the Document referenced by Plaintiff for its contents and do not choose to accept any characterization by the allegations of paragraph “78” of the complaint.

79. The Defendants refer to the Document referenced by Plaintiff for its contents and do not choose to accept any characterization by the allegations of paragraph “79” of the complaint.

80. The Defendants deny the allegations contained in paragraph “80” of the complaint.

81. The Defendants refer to the Document referenced by Plaintiff for its contents and do not choose to accept any characterization by the allegations of paragraph “81” of the complaint.

82. The Defendants refer to the Document referenced by Plaintiff for its contents and do not choose to accept any characterization by the allegations of paragraph “82” of the complaint.

83. The Defendants refer to the Document referenced by Plaintiff for its contents and do not choose to accept any characterization by the allegations of paragraph “83” of the complaint.
84. The Defendants deny the allegations contained in paragraph “84” of the complaint.
85. The Defendants refer to the Document referenced by Plaintiff for its contents and do not choose to accept any characterization by the allegations of paragraph “85” of the complaint.
86. The Defendants refer to the Document referenced by Plaintiff for its contents and do not choose to accept any characterization by the allegations of paragraph “86” of the complaint.
87. The Defendants refer to the Document referenced by Plaintiff for its contents and do not choose to accept any characterization by the allegations of paragraph “87” of the complaint.
88. The Defendants deny the allegations contained in paragraph “88” of the complaint.
89. The Defendants refer to the Document referenced by Plaintiff for its contents and do not choose to accept any characterization by the allegations of paragraph “89” of the complaint.
90. The Defendants refer to the Document referenced by Plaintiff for its contents and do not choose to accept any characterization by the allegations of paragraph “90” of the complaint.
91. The Defendants refer to the Document referenced by Plaintiff for its contents and do not choose to accept any characterization by the allegations of paragraph “91” of the complaint.
92. The Defendants refer to the Document referenced by Plaintiff for its contents and do not choose to accept any characterization by the allegations of paragraph “92” of the complaint.
93. The Defendants deny the allegations contained in paragraph “93” of the complaint.
94. The Defendants refer to the Document referenced by Plaintiff for its contents and do not choose to accept any characterization by the allegations of paragraph “94” of the complaint.
95. The Defendants refer to the Document referenced by Plaintiff for its contents and do not choose to accept any characterization by the allegations of paragraph “95” of the complaint.

96. The Defendants refer to the Document referenced by Plaintiff for its contents and do not choose to accept any characterization by the allegations of paragraph “96” of the complaint.
97. The Defendants deny the allegations contained in paragraph “97” of the complaint.
98. The Defendants deny the allegations contained in paragraph “98” of the complaint.
99. The Defendants refer to the Document referenced by Plaintiff for its contents and do not choose to accept any characterization by the allegations of paragraph “99” of the complaint.
100. The Defendants deny the allegations contained in paragraph “100” of the complaint.
101. The Defendants deny the allegations contained in paragraph “101” of the complaint.
102. The Defendants deny the allegations contained in paragraph “102” of the complaint.
103. The Defendants deny the allegations contained in paragraph “103” of the complaint.
104. The Defendants deny the allegations contained in paragraph “104” of the complaint.
105. The Defendants deny the allegations contained in paragraph “105” of the complaint.
106. The Defendants deny the allegations contained in paragraph “106” of the complaint.
107. The Defendants repeat and reallege the allegations contained in paragraphs “1” through “106” above in response to paragraph “107.”
108. The Defendants refer to the statutory sections referenced by Plaintiff for the meaning of the statute and do not choose to accept any characterization by the allegations of paragraph “108” of the complaint.
109. The Defendants refer to the statutory sections referenced by Plaintiff for the meaning of the statute and do not choose to accept any characterization by the allegations of paragraph “109” of the complaint.
110. The Defendants refer to the Document referenced by Plaintiff for its contents and do not choose to accept any characterization by the allegations of paragraph “110” of the complaint.

111. The Defendants deny the allegations contained in paragraph “111” of the complaint.
112. The Defendants deny the allegations contained in paragraph “112” of the complaint.
113. The Defendants deny the allegations contained in paragraph “113” of the complaint.
114. The Defendants repeat and reallege the allegations contained in paragraphs “1” through “113” above in response to paragraph “114.”
115. The Defendants deny the allegations contained in paragraph “115” of the complaint.
116. The Defendants deny the allegations contained in paragraph “116” of the complaint.
117. The Defendants refer to the Document referenced by Plaintiff for its contents and do not choose to accept any characterization by the allegations of paragraph “117” of the complaint.
118. The Defendants deny knowledge or information sufficient to form a belief as to the the allegations contained in paragraph “118” of the complaint.
119. The Defendants deny the allegations contained in paragraph “119” of the complaint.
120. The Defendants repeat and reallege the allegations contained in paragraphs “1” through “119” above in response to paragraph “120.”
121. The Defendants deny knowledge or information sufficient to form a belief as to the the allegations contained in paragraph “121” of the complaint.
122. The Defendants deny knowledge or information sufficient to form a belief as to the the allegations contained in paragraph “122” of the complaint.
123. The Defendants deny knowledge or information sufficient to form a belief as to the the allegations contained in paragraph “123” of the complaint.
124. The Defendants deny the allegations contained in paragraph “124” of the complaint.
125. The Defendants deny the allegations contained in paragraph “125” of the complaint.
126. The Defendants deny the allegations contained in paragraph “126” of the complaint.

127. The Defendants repeat and reallege the allegations contained in paragraphs “1” through “126” above in response to paragraph “127.”
128. The Defendants deny the allegations contained in paragraph “128” of the complaint.
129. The Defendants deny knowledge or information sufficient to form a belief as to the allegations contained in paragraph “128” of the complaint.<sup>31</sup>
130. The Defendants deny the allegations contained in paragraph “130” of the complaint.
131. The Defendants deny the allegations contained in paragraph “131” of the complaint.
132. The Defendants deny the allegations contained in paragraph “132” of the complaint.
133. The Defendants deny the allegations contained in paragraph “133” of the complaint.
134. The Defendants repeat and reallege the allegations contained in paragraphs “1” through “133” above in response to paragraph “134.”
135. The Defendants deny the allegations contained in paragraph “135” of the complaint.
136. The Defendants deny the allegations contained in paragraph “136” of the complaint.
137. The Defendants deny the allegations contained in paragraph “137” of the complaint.
138. The Defendants deny the allegations contained in paragraph “138” of the complaint.
139. The Defendants deny the allegations contained in paragraph “139” of the complaint.
140. The Defendants deny the allegations contained in paragraph “140” of the complaint.
141. The Defendants repeat and reallege the allegations contained in paragraphs “1” through “140” above in response to paragraph “141.”
142. The Defendants deny the allegations contained in paragraph “142” of the complaint.
143. The Defendants deny the allegations contained in paragraph “143” of the complaint.
144. The Defendants deny the allegations contained in paragraph “144” of the complaint.
145. The Defendants deny the allegations contained in paragraph “145” of the complaint.

146. The Defendants deny the allegations contained in paragraph “146” of the complaint.
147. The Defendants deny the allegations contained in paragraph “147” of the complaint.
148. The Defendants deny the allegations contained in paragraph “148” of the complaint.
149. The Defendants repeat and reallege the allegations contained in paragraphs “1” through “148” above in response to paragraph “149.”
150. The Defendants deny the allegations contained in paragraph “150” of the complaint.
151. The Defendants deny the allegations contained in paragraph “151” of the complaint.
152. The Defendants deny the allegations contained in paragraph “152” of the complaint.
153. The Defendants deny the allegations contained in paragraph “153” of the complaint.
154. The Defendants deny the allegations contained in paragraph “154” of the complaint.
155. The Defendants deny the allegations contained in paragraph “155” of the complaint.
156. The Defendants deny the allegations contained in paragraph “156” of the complaint.
157. The Defendants repeat and reallege the allegations contained in paragraphs “1” through “156” above in response to paragraph “157.”
158. The Defendants deny the allegations contained in paragraph “158” of the complaint.
159. The Defendants deny the allegations contained in paragraph “159” of the complaint.
160. The Defendants deny the allegations contained in paragraph “160” of the complaint.
161. The Defendants deny the allegations contained in paragraph “161” of the complaint.
162. The Defendants deny the allegations contained in paragraph “162” of the complaint.
163. The Defendants repeat and reallege the allegations contained in paragraphs “1” through “162” above in response to paragraph “163.”

164. The Defendants refer to the statutory sections referenced by Plaintiff for the meaning of the statute and do not choose to accept any characterization by the allegations of paragraph “164” of the complaint.

165. The Defendants deny the allegations contained in paragraph “165” of the complaint.

166. The Defendants deny the allegations contained in paragraph “166” of the complaint.

167. The Defendants repeat and reallege the allegations contained in paragraphs “1” through “166” above in response to paragraph “167.”

168. The Defendants deny the allegations contained in paragraph “168” of the complaint.

169. The Defendants deny the allegations contained in paragraph “169” of the complaint.

170. The Defendants deny the allegations contained in paragraph “170” of the complaint.

171. The Defendants deny the allegations contained in paragraph “171” of the complaint.

172. The Defendants deny the allegations contained in paragraph “172” of the complaint.

173. The Defendants deny the allegations contained in paragraph “173” of the complaint.

174. The Defendants deny the allegations contained in paragraph “174” of the complaint.

175. The Defendants repeat and reallege the allegations contained in paragraphs “1” through “174” above in response to paragraph “175.”

176. The Defendants admit Ilirjan is a Trustee under the Trust.

177. The Defendants admit that Ilirjan was subject to duties as Trustee.

178. The Defendants deny the allegations contained in paragraph “178” of the complaint.

179. The Defendants deny the allegations contained in paragraph “179” of the complaint.

180. The Defendants deny the allegations contained in paragraph “180” of the complaint.

181. The Defendants deny the allegations contained in paragraph “181” of the complaint.

182. The Defendants repeat and reallege the allegations contained in paragraphs “1” through “181” above in response to paragraph “182.”
183. The Defendants admit the allegations of paragraph 183.
184. The Defendants deny the allegations contained in paragraph “184” of the complaint.
185. The Defendants deny the allegations contained in paragraph “185” of the complaint.
186. The Defendants deny the allegations contained in paragraph “186” of the complaint.
187. The Defendants repeat and reallege the allegations contained in paragraphs “1” through “186” above in response to paragraph “187.”
188. The Defendants admit the allegations of paragraph “188”.
189. The Defendants admit the allegations of paragraph “189”.
190. The Defendants refer to the Document referenced by Plaintiff for its contents and do not choose to accept any characterization by the allegations of paragraph “190” of the complaint.
191. The Defendants deny the allegations contained in paragraph “191” of the complaint.
192. The Defendants deny the allegations contained in paragraph “192” of the complaint.
193. The Defendants deny the allegations contained in paragraph “193” of the complaint.
194. The Defendants repeat and reallege the allegations contained in paragraphs “1” through “193” above in response to paragraph “194.”
195. The Defendants deny the allegations contained in paragraph “195” of the complaint.
196. The Defendants deny the allegations contained in paragraph “196” of the complaint.
197. The Defendants deny the allegations contained in paragraph “197” of the complaint.
198. The Defendants deny the allegations contained in paragraph “198” of the complaint.
199. The Defendants repeat and reallege the allegations contained in paragraphs “1” through “198” above in response to paragraph “199.”

200. The Defendants admit Ilirjan is a Trustee under the Trust.
201. The Defendants admit that Ilirjan was subject to duties as Trustee.
202. The Defendants refer to the Document referenced by Plaintiff for its contents and do not choose to accept any characterization by the allegations of paragraph “202” of the complaint.
203. The Defendants deny the allegations contained in paragraph “203” of the complaint.
204. The Defendants deny the allegations contained in paragraph “204” of the complaint.
205. The Defendants deny the allegations contained in paragraph “205” of the complaint.
206. The Defendants repeat and reallege the allegations contained in paragraphs “1” through “205” above in response to paragraph “206.”
207. The Defendants admit that Selim knew Ilirjan was subject to duties as Trustee.
208. The Defendants deny the allegations contained in paragraph “208” of the complaint.
209. The Defendants deny the allegations contained in paragraph “209” of the complaint.
210. The Defendants deny the allegations contained in paragraph “210” of the complaint.
211. The Defendants repeat and reallege the allegations contained in paragraphs “1” through “210” above in response to paragraph “211.”
212. The Defendants refer to the statutory sections referenced by Plaintiff for the meaning of the statute and do not choose to accept any characterization by the allegations of paragraph “212” of the complaint.
213. The Defendants refer to the Document referenced by Plaintiff for its contents and do not choose to accept any characterization by the allegations of paragraph “213” of the complaint.
214. The Defendants deny the allegations contained in paragraph “214” of the complaint.
215. The Defendants deny the allegations contained in paragraph “215” of the complaint.
216. The Defendants deny the allegations contained in paragraph “216” of the complaint.

217. The Defendants deny the allegations contained in paragraph "217" of the complaint.
218. The Defendants deny the allegations contained in paragraph "218" of the complaint.
219. The Defendants deny knowledge or information sufficient to form a belief as to the allegations contained in paragraph "219" of the complaint.
220. The Defendants deny the allegations contained in paragraph "220" of the complaint.
221. The Defendants deny the allegations contained in paragraph "221" of the complaint.
222. The Defendants deny the allegations contained in paragraph "222" of the complaint.
223. The Defendants deny the allegations contained in paragraph "223" of the complaint.

AS AND FOR THEIR AFFIRMATIVE DEFENSES

224. Plaintiff is estopped by virtue of overreaching conduct.
225. Plaintiff's action is barred under the applicable laws and statutes.
226. Plaintiff's action is barred due to lack of damage.
227. Plaintiff's action is barred as any remedy is limited to return of any funds to the Trust, and not an award to Plaintiff.

WHEREFORE Defendants demand that the Complaint be dismissed as against them with the costs and disbursements of this action and such further and different relief as this Honorable Court deems just and proper.

Dated: Staten Island, New York  
February 3, 2025

Respectfully submitted,

/s/ John J. Macron  
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John J. Macron  
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